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PLEASE PASS TO DEPARTMENT OF COMMERCE FOR RASHIDA PETERSEN

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SUBJECT: WESTEL UPDATE: GOG AGREES TO PARTICIPATE IN
ARBITRATION

REF: 03 STATE 269530

1. (SBU) The GoG has agreed to participate in the arbitration case filed against it by Westel parent Western Wireless International (WWI). This reversal of the GoG's previously stated position was announced in a letter to Westel Director Bill Taylor December 17. This decision followed AF/W Office Director Arietti's discussion of the business climate in Ghana with Ambassador Fritz Poku on December 14 (reftel). On January 19 the GoG named former UK Lord Chancellor, Lord Irvine (first Labor Party Lord Chancellor in the UK) as its arbitrator. According to Taylor, Minister of Communications Kan Dapaah followed this up with an informal invitation to submit a white paper outlining possible points for informal negotiations.

2. (SBU) In discussion with EconOff, Taylor expressed satisfaction with the GoG's decision on arbitration participation. For this reason Post is proposing modified language --via e-mail to the desk-- for a letter in clearance to President Kufuor from the Secretary of State on AGOA eligibility.

3. (SBU) COMMENT: The quick naming of a reputable arbitrator indicates the GoG may finally be ready to seriously involve itself in the arbitration process and differs from delaying tactics used in prior cases involving US companies. Post will continue to monitor developments closely. END COMMENT.
YATES